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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,671	12/20/2000	Norio Kawamura	Q62372	3946

7590 12/26/2002
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC
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Washington, DC 20037

EXAMINER

FONTAINE, MONICA A

ART UNIT	PAPER NUMBER
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1732

DATE MAILED: 12/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/739,671

Applicant(s)

KAWAMURA ET AL.

Examiner

Monica A Fontaine

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) 1-3 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☒ Claim(s) 1-6 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of Group II, Claims 4-6 in Paper No. 10 is acknowledged.

Claims 1-3 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected molding and tentatively retaining mold, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 10.

Priority

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo et al. (U.S. Patent 5,709,831). Regarding Claim 4, Endo et al., hereafter "Endo," show the basic process as claimed, including carrying out a method of molding and tentatively retaining, comprising the steps of forming a plurality of cavities between a fixed mold and a plurality of

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movable molds provided in such a manner as to be relatively movable with respect to said fixed mold (Column 6, lines 50-56), and charging a molding material into said cavities through filling holes respectively provided for said cavities (Column 7, lines 1-2). Endo does not specify that runners supply the resin to the filling holes, but Endo does show that it is known to use runners to supply resin to a cavity (Column 8, lines 62-65). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use runners to supply resin to the filling holes and subsequently to the cavities in order to provide efficient filling of the mold cavities. Furthermore, Endo shows that it is known to mold a plurality of kinds of independent parts of different shapes in the cavities (Figure 2, elements 2 and 3), and to move relatively at least one movable mold with respect to another movable mold by a predetermined amount greater than an amount of movement necessary for tentatively retaining at least one part to the other part (Column 7, lines 18-31). Although Endo does not label the time when the movable mold is in the moved position as an elapse of a predetermined time interval, he does specify a series of events that take place while the movable mold is in the moved position (Column 7, lines 47-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to stop the movable mold for the time required to complete the said series of events, herein interpreted to be a predetermined time interval, in order to assure proper formation of the molded product. Regarding Claim 5, Endo shows the basic process as claimed as discussed above, including setting the predetermined amount of movement in such a manner that at least one molded part is pressed against another molded part (Column 7, lines 29-31), meeting applicant's claim. Regarding Claim 6, Endo shows the basic process as claimed as discussed above, but does not specifically state that the resiliency of the parts becomes stabilized during the

said predetermined time interval. Endo does show the connection of the two molded parts during the predetermined time interval (Column 7, lines 47-53), and it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate adequate stabilizing time into the predetermined time interval in order to ensure that proper product formation takes place.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patent has been cited to further show the state of the art with regard to injection molding processes having more than one movable mold in general:

U.S. Patent 5,961,910 to Ito et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A Fontaine whose telephone number is 703-305-7239. The examiner can normally be reached on Monday-Friday 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jan Silbaugh can be reached on 703-308-3829. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9310 for regular communications and 703-872-9310 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

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December 23, 2002

Jan H. S. [Signature]

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